

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

IN RE: Bard IVC Filters Products Liability  
Litigation,

No. MDL 15-02641-PHX DGC

Lisa Hyde and Mark E. Hyde, a married  
couple,

No. CV-16-00893-PHX-DGC

Plaintiffs,

**ORDER**

v.

C. R. Bard, Inc., a New Jersey corporation;  
and Bard Peripheral Vascular, Inc., an  
Arizona corporation,

Defendants.

The Hyde trial is set to begin on **September 18, 2018 at 9:00 a.m.** A final pretrial conference will be held on **September 6, 2018 at 10:00 a.m.** In preparation for trial, the Court enters the following order:

1. The attorneys who will be responsible for the trial of the case shall attend the final pretrial conference.

2. The parties jointly shall prepare a proposed final pretrial order and shall lodge it with the Court no later than **4:00 p.m.** on **August 24, 2018.** Preparation and lodging of the proposed final pretrial order in accordance with the requirements of this order shall be deemed to satisfy the disclosure requirements of Rule 26(a)(3) of the

1 Federal Rules of Civil Procedure. The parties shall submit a copy of the proposed final  
2 pretrial order to the Court in Word format to [Nancy\\_Outley@azd.uscourts.gov](mailto:Nancy_Outley@azd.uscourts.gov).

3 3. The proposed final pretrial order shall include the information prescribed in  
4 the Joint Proposed Final Pretrial Order form found at [www.azd.uscourts.gov](http://www.azd.uscourts.gov) under:  
5 (1) Judges' Information, (2) Orders, Forms and Procedures, and (3) David G. Campbell.  
6 Information shall not be set forth in the form of a question, but shall be presented in  
7 concise narrative statements. With respect to jury instructions and the verdict form, the  
8 Court intends to use the same format for the preliminary and final jury instructions and  
9 the verdict form used in the Jones trial. The parties need not follow the jury instruction  
10 form found at [www.azd.uscourts.gov](http://www.azd.uscourts.gov), but instead should simply submit their stipulated  
11 and proposed jury instructions and verdict form(s) consistent with the Court's prior  
12 guidance concerning these matters. With respect to voir dire, the Court intends to ask the  
13 voir dire questions from the Jones trial. The parties should submit only stipulated and  
14 proposed changes to the Jones voir dire questions by **July 13, 2018**.

15 4. The Court will not allow the parties to offer any exhibit, witness, or other  
16 evidence that was not disclosed in accordance with the provisions of this order and the  
17 Federal Rules of Civil Procedure and listed in the proposed final pretrial order, except to  
18 prevent manifest injustice. Fed. R. Civ. P. 16(e). Objections to witnesses and documents  
19 should also be listed.

20 5. Plaintiffs shall have the burden of initiating communications concerning the  
21 proposed final pretrial order.

22 6. The parties shall (a) number and mark exhibits in accordance with the  
23 Exhibit Marking Instructions at [www.azd.uscourts.gov](http://www.azd.uscourts.gov) under Judges and Courtrooms and  
24 Orders, Forms and Procedures (such numbers shall correspond to exhibits numbers listed  
25 in the proposed final pretrial order); (b) meet in person and exchange marked copies of  
26 all exhibits to be used at trial no later than **14 days** before the submission deadline for the  
27 proposed final pretrial order; and (c) eliminate any duplicate exhibits while meeting to  
28 exchange exhibits.

- (a) Proper names, including those of witnesses.
- (b) Acronyms.
- (c) Geographic locations.
- (d) Technical (including medical) terms, names or jargon.
- (e) Case names and citations.
- (f) Pronunciation of unusual or difficult words or names.

Daniel G. Campbell

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